

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.R. 1122—Partial-Birth Abortion Ban Act**

**H.Res. 91—Committee Funding Resolution**



**H.R. 1122—Partial-Birth Abortion Ban Act**

**Floor Situation:** The House will consider H.R. 1122 as its first order of business today. Yesterday, the Rules Committee granted a closed rule providing two hours of general debate, equally divided between the chairman and ranking minority member of the Judiciary Committee. The rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 1122, which is identical to a bill vetoed by President Clinton last year, prohibits physicians who perform abortions from utilizing “partial-birth” abortion procedures. As defined by the bill, such a procedure involves a partial vaginal delivery of a child before killing the child and completing the delivery. The bill is similar to H.R. 929, which passed out of the Judiciary Committee by a vote of 20-11 on March 12, 1997.

For individuals who perform a partial-birth abortion, the bill imposes fines or potential imprisonment of up to two years, and allows the father or maternal grandparents (if the mother is under 18 years of age) to file a civil lawsuit against the doctor for monetary damages equaling three times the cost of the partial-birth abortion procedure. Fathers of babies aborted by this procedure may be included in civil lawsuits for damages against a doctor only if he and the mother of the child were married at the time the procedure was performed.

The bill provides protection from prosecution for doctors who can show that they performed the abortion procedure in order to save the mother’s life. The doctor must show, in his judgment, that (1) because the mother suffered from a physical disorder, illness, or injury, her life was threatened if she did not undergo a partial-birth abortion; and (2) no other medical procedure would have adequately preserved her chances of surviving the pregnancy.

The bill defines a “physician” who may be held liable for performing a partial-birth abortion as “(1) a doctor legally authorized to practice medicine and surgery by the state in which the doctor practices, or (2) any other individual legally authorized by the state to perform abortions.” However, any individual who is not a physician or not otherwise legally authorized by the state to perform abortions, but nevertheless directly performs a partial-birth abortion, is subject to the provisions of the bill.

CBO estimates that enactment will have no significant impact on the federal budget. H.R. 1122 was introduced by Mr. Solomon on March 19, 1997, and was not considered by any committee.

**Views:**

**Republican Leadership:** Supports

**Chairman Hyde:** Supports

**Clinton Administration:** Threatened Veto

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #7, March 14, 1997.



## **H.Res. 91—Committee Funding Resolution**

**Floor Situation:** The House will consider H.Res. 91 after it completes consideration of H.R. 1122. Yesterday, the Rules Committee granted a modified closed rule providing one hour of debate, equally divided between the chairman and ranking minority member of the House Oversight Committee. The rule adopts a committee amendment in the nature of a substitute (described below) as base text. It makes in order an amendment by Mr. Thomas, debatable for 30 minutes equally divided between a proponent and an opponent. Finally, the rule provides for one motion to recommit.

**Summary:** H.Res. 91 authorizes \$170.4 million over two years for the basic operations of 19 House committees in the 105th Congress (excluding the House Appropriations Committee), \$13.4 million more than committee funding levels for the 104th Congress but \$52.6 million less than committee funding for the 103rd Congress. It also authorizes \$7.9 million for a reserve fund for unanticipated expenses of any House committee, which is available to committees that first receive approval from the House Oversight Committee. Of the \$20 million that the resolution authorizes for the Government Reform & Oversight Committee (\$6.5 million more than the level of the 104th Congress but \$6.6 million less than the funding level of the 103rd Congress), \$3.8 million is for the committee’s campaign fundraising investigation. The resolution was introduced by Mr. Thomas and was reported by the House Oversight Committee by voice vote.

**Views:**

**Republican Leadership:** Supports

**Chairman Thomas:** Supports

**Amendments:** As stated above, the rule makes in order the following amendment, debatable for 30 minutes equally divided between a proponent and an opponent.

**Mr. Thomas** will offer an amendment to require that any net increase in funding for committees over levels provided in the 104th Congress must be offset by reductions in expenses for other legislative activities. *Staff Contact: Catherine Fanucchi, x5-8281*

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #7, March 14, 1997.




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